ONTARIO RIVERS ALLIANCE

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Public Input Coordinator
Source Protection
MECP Conservation and Source Protection Branch
300 Water Street North Tower, 5th Floor
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By email to: Source.Protection@Ontario.ca

Re: ERO-025-1104- Regulatory changes for accelerating and improving protections for Ontario's drinking water source

Dear Sirs:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve, and restore riverine ecosystems across the province. The ORA advocates for effective policy and legislation to ensure that development affecting Ontario rivers is environmentally and socially sustainable.

ORA supports the intent to strengthen Ontario's drinking water protection framework and is pleased to offer our analysis, concerns, and recommendations.

Drinking water protection is a core public safety and environmental responsibility. Ontario must prioritize precaution, transparency, and long-term hydrologic resilience over accelerated approvals or development timelines. After all, these proposed changes are "*to support growing communities".*

1. Safety Over Speed

The government's proposal places disproportionate weight on "streamlining" and "efficiency," as though Source Protection Plan (SPP) amendments are administrative bottlenecks rather than critical public safety safeguards. Altering or adding a municipal well or intake is not a technical footnote — it is a major hydrological intervention that alters the behaviour of the entire source watershed or aquifer system.

Changes in pumping rates, drawdown cones, time-of-travel metrics, or intake locations can dramatically shift how contaminants move, which land uses fall within protection zones, and what risk mitigation tools are required to protect human health. When development-driven timelines are allowed to outrank technical due diligence, Ontario exposes itself to preventable contamination events, avoidable public health costs, and long-term liabilities that dwarf any short-term administrative "savings".

Streamlining that reduces scrutiny is not progress; it is a regression from the robust, science-based framework established after Walkerton. Safe drinking water cannot be delivered at development speed — it must be delivered at science speed.

2. Approval before Early Water Supply

The proposal to enable the supply of drinking water from a new or modified well or intake **before** the related SPP amendment is completed is indefensible from a precautionary, hydrological, and public health standpoint.

Commissioning new water sources without a finalized protection plan means water could be drawn from a source whose vulnerability, contaminant pathways, and risk factors have not yet been fully mapped or mitigated. This creates a dangerous gap in protection, allowing contaminants to enter the system at the very moment it begins serving the public.

Source protection planning is designed to precede — not follow — system connection. Reversing this order exposes residents to "unknown unknowns," particularly in areas where land uses include agricultural nutrient application, fuel storage, industrial activities, road salt use, private septic systems, or legacy contamination.

This change does not "modernize" the system — it erodes a core safeguard and reintroduces the very risk pathways that the *Clean Water Act*[1] was created to eliminate. Early supply must be categorically prohibited.

3. Reduced Consultation Weakens Transparency

Safe drinking water depends on community awareness, local knowledge, and public accountability. The proposal weakens all three by removing pre-consultation requirements, eliminating newspaper notices, and consolidating consultations into a single shortened phase.

Hydrogeological and watershed changes can affect thousands of residents, agricultural operations, businesses, and Indigenous communities, often in subtle but significant ways. Reducing consultation reduces the chances that those closest to the source, including rural residents, private well owners, farmers, fishers, local environmental watchdogs, and Indigenous governments, can identify risks overlooked by provincial or municipal staff.

Newspaper notice may seem outdated to policymakers, but for rural communities, seniors, and residents without reliable broadband access, print remains their only practical means of learning about water-related changes that may affect their health.

This regulatory direction shifts the process from community-driven stewardship to top-down administrative control, weakening public trust and undermining the collaborative spirit that has made Ontario's source protection framework a model of participatory safety.

4. Misclassification of "Minor" Amendments

The proposal broadens the scope of changes that can be treated as "minor" under section 51 — exempting them from public consultation and Ministerial approval. This includes changes to protection zone boundaries and scenario-specific delineation adjustments that could easily affect vulnerability scoring, contaminant capture zones, and risk classification.

There is no such thing as a minor hydrological shift.

Even small adjustments in well location, intake depth, pumping regime, aquifer yield, or hydraulic connectivity can alter:

- the shape and extent of Wellhead Protection Areas (WHPAs) and Intake Protection Zones (IPZs);
- the time-of-travel thresholds that determine where activities become significant threats;
- which properties, land uses, or industries fall into regulated zones;
- and which drinking water threats become newly applicable.

Reclassifying these changes as "minor" is scientifically misleading and creates a loophole for risk exposure. Every hydrological delineation carries real-world consequences; none should bypass full technical scrutiny and transparent consultation.

5. Delayed Updates to Prescribed Instruments

The proposal allows up to **3 years** to review and update prescribed instruments when new vulnerable areas are delineated. This timeline is far too long.

Prescribed instruments are not abstract paperwork — they are the conditions that directly govern risk-laden activities such as:

- nutrient management,
- fuel storage,
- pesticide application,
- waste disposal,
- stormwater systems,
- and industrial discharges.

A three-year delay in updating these instruments means three years where significant threats may remain unmitigated, unmanaged, or unmonitored — precisely when the hydrological context is known to have changed.

Climate-change-driven hydrological volatility further compresses the margin of error. A single high-flow event, drought cycle, or spill during a three-year window could overwhelm outdated controls and contaminate a municipal supply.

A one-year maximum update timeline is the reasonable standard for risk prevention and public health protection.

6. Restricting Risk Management Plans (RMPs)

Risk Management Plans (RMPs) are among the most adaptive and effective tools in Ontario's source protection framework. RMPs allow locally appointed Risk Management Officials (RMOs) to:

- tailor risk mitigation conditions to the specific hydrology, land use, and threat context;
- negotiate site-specific protections that go beyond standard permit conditions;
- rapidly update conditions when land uses change; and
- maintain direct communication with property owners and operators.

Restricting the use of RMPs in favour of prescribed instruments reduces flexibility and forces risk mitigation into rigid, slower-moving regulatory pathways.

Prescribed instruments often lack the capacity to adjust quickly to emerging risks, seasonal shifts, or cumulative loading. RMPs were specifically created to address these gaps. Weakening them elevates administrative convenience over local protection effectiveness — a backwards step in managing real-world threats.

7. Drinking Water Protection Is Not a Housing Bottleneck

The ERO posting frames source protection requirements as red tape that slows housing development. This is a false and harmful narrative. Drinking water protection is **infrastructure**, not an obstacle to infrastructure.

A stable housing supply depends on safe, reliable drinking water. Any policy that pressures source protection authorities to deliver faster approvals risks forcing technical decisions to conform to political timelines. This is not how safe water systems are built.

If a development cannot meet the hydrological and protection requirements needed to ensure safe water, the solution is not to weaken the protections—it is to revise the development.

Safe drinking water is a precondition for growth, not an impediment to it.

8. Lack of Climate and Cumulative Effects Integration

The proposal is almost entirely silent on climate change, despite Ontario's own Climate Change Impact Assessment confirming escalating risks to drinking water sources. Climate change is already altering:

- recharge patterns and aquifer levels,
- surface water temperatures and stratification,
- seasonal flow regimes,
- contaminant mobility,

- nutrient cycling,
- stormwater surges,
- drought frequency,
- and salt intrusion.

These impacts directly affect source vulnerability, the frequency and intensity of risk pathways, and the integrity of drinking water systems.

Cumulative effects add another layer of concern, particularly in multi-use watersheds where agriculture, industry, wastewater, mining, road networks, and settlement growth layer risk upon risk.

Any effort to "modernize" drinking water protection must begin with integrating climate projections, cumulative impacts analysis, and watershed-scale hydrological modelling — not shortcutting the processes that keep contaminants out of municipal water systems.

ORA Recommendations:

1. Remove provisions allowing water supply before SPP amendments are approved.
2. Maintain and strengthen transparency and public and Indigenous consultation.
3. Retain robust use of Risk Management Plans.
4. Limit prescribed instrument update timelines to one year.
5. Treat all delineation changes as substantive.
6. Require cumulative-effects analysis in all amendments.
7. Incorporate the Ontario Provincial Climate Change Impact Assessment into your considerations for improving and protecting Ontario's drinking water source.
8. Retain broad public notification requirements.

Closing:

Safe drinking water is the foundation of public health and thriving communities. Ontario must ensure that protection measures remain strong, transparent, and climate resilient.

Respectfully,

Linda Heron
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ENDNOTES

[1] *Clean Water Act, 2006, S.O. 2006, c. 22.*